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APPLICATION NO.	FILING DATE	· FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/851,963	05/10/2001	Peter Van Giel	10015199-1	4094
7590 06/03/2004 HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400			EXAMINER BELL, MELTIN	
			Fort Collins, Co	•
			DATE MAILED: 06/03/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/93)

122

							
	Application No.	Applicant(s)					
	09/851,963	GIEL ET AL.					
	xaminer	Art Unit					
	Meltin Bell	2121	Idross				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) Responsive to communication(s) filed on 22 Mare	<u>ch 2004</u> .						
2a)⊠ This action is FINAL . 2b)□ This action	ction is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is							
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
4) ☐ Claim(s) 1-42 is/are pending in the application. 4a) Of the above claim(s) 1-23 is/are withdrawn from the second of the above claim(s) 1-23 is/are withdrawn from the second of the above claim(s) 1-23 is/are withdrawn from the second of the second o							
Application Papers							
 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 22 March 2004 is/are: a) Applicant may not request that any objection to the drawing sheet(s) including the correction 11) The oath or declaration is objected to by the Example 1. 	awing(s) be held in abeyance. See n is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 C	FR 1.121(d).				
Priority under 35 U.S.C. § 119							
12) ☐ Acknowledgment is made of a claim for foreign properties a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents by a copies of the priority documents by application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application from the International Bureau (* See the attached detailed Office action for a list of the priority application for a lis	nave been received. nave been received in Applicati documents have been receive PCT Rule 17.2(a)).	on No ed in this National	Stage				
Attachmont(e)							
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail De 5) Notice of Informal P 6) Other:	ate	O-152)				





DETAILED ACTION

This action is responsive to application **09/851,963** filed **05/10/01** as well as Amendment A filed 3/22/04 and the Formal Drawings filed 3/22/04. New claims 24-42 filed by the applicant have been entered and examined. Claims 1-23 have been canceled as requested by the applicant. An action on the merits of claims 24-42 appears below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Office presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Office to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).





Previously presented claim 12 stands rejected under 35 U.S.C. 103(a) as being obvious over *Weber* USPN 5,812,668 (September 22, 1998) in view of *Desgrousillers et al* USPN 5,715,373 (February 3, 1998).

Regarding claim 24:

Weber teaches,

- in a largely automated manner, collecting from each of a plurality of networked computers configuration information defining each computer's software configuration or hardware configuration or both (Abstract, "An architecture for ... production gateway computer"; column 63, lines 54-63, "The unique architecture ... the merchant's premises"; column 137, lines 29-63, "A Data Manager ... hardware based cryptography")
- providing a plurality of analyzers, each analyzer comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer (column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 32-59, "Analyze SetRequest ... current SET request")
- defining at least one task definition comprising one or more of said computers and one or more of said analyzers (column 39, lines 13-19, "The vPOS configuration ... Terminal Configuration Table"; column 63, lines 14-24, "Web servers can ... to requesting threads"; column 64, lines 15-45, "Multiple merchant processing ... and name lookup")



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- utilizing any issue identifying report generated during the processing step for audit purposes (column 64, lines 1-7, "The merchant could ... customer satisfaction information"; column 124, lines 15-18, "Gateway statistics about ... generating a report") However, *Weber* doesn't explicitly teach full automation, providing a plurality of analyzers based on expert knowledge, each analyzer comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer or lists of computers and analyzers while *Desgrousillers et al* teaches,
- full automation (column 13, lines 60-62, "The SPI test ... out with comments")
- providing a plurality of analyzers based on expert knowledge, each analyzer comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer (column 3, lines 18-56, "the subsystem designer ... subsystem control facility"; column 5, lines 59-67, "Knowledgebase file storage ... and syntax checking"; column 6, lines 1-28, "configuration, including boundary-value ... of specific tokens"; column 16, lines 46-65, "With reference to ... the appropriate correction")
- defining at least one task definition comprising a list of one or more of said computers and a list of one or more of said analyzers (column 14, lines 5-67, "The areas of ... analyze the results")



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- in a fully automated fashion, and guided by one or more of said task definitions (column 13, lines 60-62, "The SPI test ... out with comments"; column 14, lines 5-67, "The areas of ... analyze the results") --
- harnessing each of the task definition's listed analyzers to configuration information gathered from each of the task definition's listed computers (Fig. 9)
- processing the configuration information so harnessed under the guidance of each analyzer's executable program steps (Figs. 3, 10)

<u>Motivation</u> – The portions of the claimed method would have been a highly desirable feature in this art for

- Early correction of errors (*Desgrousillers et al*, Abstract, "A method and ... the developmental cycle")
- Convenient and secure information exchange (Weber, column 2, lines 21-55, "To implement an ... by third parties")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *Weber* with *Desgrousillers et al* to obtain the invention of claim 24, a computerized method for auditing the software or hardware configurations of a plurality of computers in one or more enterprises. The modification would have been obvious because one of ordinary skill in the art would have been motivated to quickly and conveniently detect as well as securely report errors within enterprise computer systems.



Regarding claim 25:

The rejection of claim 24 is incorporated. Claim 25's further limitations are taught in *Weber:*

- wherein the collecting step includes placing this configuration information into a tracker database from which configuration information is later retrieved during the harnessing or processing steps (column 15, lines 36-49, "The payment gateway ... over the Internet"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")

Desgrousillers et al:

- wherein the providing analyzers step includes placing these analyzers into an analyzer database from which analyzers are later retrieved during the harnessing or processing steps (column 4, lines 15-41, "From an apparatus ... corresponding template files")
- wherein the processing step includes storing any issue identifying report generated in an issues database from which it may later be retrieved and utilized (Fig. 1, items 18, 29, 15, 31)

Therefore, claim 25 is rejected under the same rationale as claim 24.

Regarding claim 26:

The rejection of claim 25 is incorporated. Therefore, claim 26 is rejected under the same rationale as claim 25.



Regarding claim 27:

The rejection of claim 24 is incorporated. Claim 25's further limitations are taught in Desgrousillers et al:

- wherein the processing step further includes generating, along with at least some issue identifying reports that are generated, the identity of the computers whose configuration information was processed to generate those reports such that both the issue identifying reports and the identity of the computers may be utilized (Fig. 1, items 18, 29, 15, 31; Figs. 3, 10)

Therefore, claim 27 is rejected under the same rationale as claim 24.

Regarding claim 28:

The rejection of claim 27 is incorporated. Claim 28's further limitations are taught in Desgrousillers et al:

- providing a plurality of audit report templates (column 4, lines 12-14, "The step of ... a test subsystem")
- defining the at least one task definition to further comprise a list of one or more audit report templates (column 4, lines 33-41, "The second knowledgebase ... corresponding template files")

Weber:

- following the storing step, and guided by the task definition's listed audit report templates and by any issue identifying report generated during the processing step, generating one or more audit reports (column 64, lines 1-6, "The merchant could ...



customer satisfaction information"; column 124, lines 15-18, "Gateway statistics about ... generating a report")

Therefore, claim 28 is rejected under the same rationale as claim 27.

Regarding claim 29:

The rejection of claim 28 is incorporated. Claim 29's further limitations are taught in *Weber*:

- wherein the collecting step Includes placing this configuration information into a tracker database from which configuration information may later be retrieved during the harnessing or processing steps (column 15, lines 36-49, "The payment gateway ... over the Internet"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")
- wherein the providing audit report templates step includes placing these templates into a report template database from which they may later be retrieved during the audit report generating step (column 64, lines 1-6, "The merchant could ... customer satisfaction information"; column 124, lines 15-18, "Gateway statistics about ... generating a report")

Desgrousillers et al:

- wherein the providing analyzers step includes placing these analyzers into an analyzer database from which analyzers are later retrieved during the harnessing or processing steps (column 4, lines 15-41, "From an apparatus ... corresponding template files")
- wherein the providing report templates step includes placing these templates into a report template database from which they may later be retrieved during the report

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generating step (column 4, lines 33-41, "The second knowledgebase ... corresponding template files")

- wherein the utilizing step includes storing any issue identifying report generated in an issues database from which it may later be retrieved and utilized during the audit report generating step (Fig. 1, items 18, 29, 15, 31)

Therefore, claim 29 is rejected under the same rationale as claim 28.

Regarding claim 30:

Weber teaches,

- in a largely automated manner, collecting from each of a plurality of networked computers configuration information defining each computer's software configuration or hardware configuration or both and placing this configuration information into a tracker database (Abstract, "An architecture for ... production gateway computer"; column 15, lines 36-49, "The payment gateway ... over the Internet"; column 63, lines 54-63, "The unique architecture ... the merchant's premises"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 137, lines 29-63, "A Data Manager ... hardware based cryptography"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")
- providing a plurality of analyzers, each analyzer comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer (column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 32-59, "Analyze SetRequest ... current SET request")

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- defining at least one task definition comprising a list of one or more of said computers, a list of one or more of said analyzers, and a list of one or more of said audit reports (column 39, lines 13-19, "The vPOS configuration ... Terminal Configuration Table"; column 63, lines 14-24, "Web servers can ... to requesting threads"; column 64, lines 1-6, "The merchant could ... customer satisfaction information"; column 64, lines 15-45, "Multiple merchant processing ... and name lookup"; column 124, lines 15-18, "Gateway statistics about ... generating a report")
- guided by the task definition's listed audit report templates and by any issue identifying reports and computer identities stored in the issues database, generating at least one or more audit reports (column 64, lines 1-6, "The merchant could ... customer satisfaction information"; column 124, lines 15-18, "Gateway statistics about ... generating a report") However, *Weber* doesn't explicitly teach full automation, expert knowledge or analyzer databases while *Desgrousillers et al* teaches,
- full automation (column 13, lines 60-62, "The SPI test ... out with comments")
- providing a plurality of analyzers based on expert knowledge, each analyzer comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer, and placing these analyzers into an analyzer database (column 3, lines 18-56, "the subsystem designer ... subsystem control facility"; column 4, lines 15-41, "From an apparatus ... corresponding template files"; column 5, lines 59-67, "Knowledgebase file storage ... and syntax checking"; column 6, lines 1-28,

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"configuration, including boundary-value ... of specific tokens"; column 16, lines 46-65, "With reference to ... the appropriate correction")

- providing a plurality of report templates, and placing these templates into a report template database (column 4, lines 12-30, "The step of ... prior to coding")
- defining at least one task definition comprising a list of one or more of said computers, a list of one or more of said analyzers, and a list of one or more of said report templates (column 4, lines 33-41, "The second knowledgebase ... corresponding template files"; column 14, lines 5-67, "The areas of ... analyze the results")
- in a fully automated fashion, and guided by one or more of said task definitions (column 13, lines 60-62, "The SPI test ... out with comments"; column 14, lines 5-67, "The areas of ... analyze the results") --
- harnessing each of the task definition's listed analyzers to configuration information gathered from each of the task definition's listed computers (Fig. 9)
- processing the configuration information so harnessed under the guidance of each analyzer's executable program steps (Figs. 3, 10)
- storing any issue identifying reports generated during the processing step in an issues database together with, in at least some instances, the identity of the computers whose configuration information was processed to generate these reports (Fig. 1, items 18, 29, 15, 31)
- guided by the task definition's listed report templates and by any issue identifying reports and computer identities stored in the issues database, generating at least one or more reports (Figs. 3, 10)

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<u>Motivation</u> – The portions of the claimed method would have been a highly desirable feature in this art for

- Early correction of errors (*Desgrousillers et al*, Abstract, "A method and ... the developmental cycle")
- Convenient and secure information exchange (Weber, column 2, lines 21-55, "To implement an ... by third parties")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *Weber* with *Desgrousillers et al* to obtain the invention of claim 30, a computerized method for auditing the software or hardware configurations of a plurality of computers in one or more enterprises. The modification would have been obvious because one of ordinary skill in the art would have been motivated to quickly and conveniently detect as well as securely report errors within enterprise computer systems.

Regarding claim 31:

Weber teaches,

- a plurality of computers each computer having software and hardware components configured in a variety of measurable ways (column 124, lines 9-18, "Transaction Performance Monitoring ... generating a report"; column 137, lines 29-63, "A Data Manager ... hardware based cryptography")
- a network interconnecting said computers (column 63, lines 54-63, "The unique architecture ... the merchant's premises")

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- a plurality of collectors, installed on at least one computer, gathering from said computers configuration information defining each computer's hardware configuration or software configuration or both (Abstract, "An architecture for ... production gateway computer")
- a plurality of analyzers, each analyzer comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer (column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 32-59, "Analyze SetRequest ... current SET request")
- at least one machine-readable task definition comprising one or more computers and one or more analyzers (column 39, lines 13-19, "The vPOS configuration ... Terminal Configuration Table"; column 63, lines 14-24, "Web servers can ... to requesting threads"; column 64, lines 15-45, "Multiple merchant processing ... and name lookup") However, *Weber* doesn't explicitly teach a list of one or more computers and a list of one or more analyzers or an analyzer harness guided by said task definition through the process of sequentially harnessing each of the task definition's listed analyzers to configuration information gathered from each of the task definition's listed computers and executing each analyzer's executable program steps upon the harnessed configuration information, thereby generating at least some issue identifying reports while *Desgrousillers et al* teaches,

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- at least one machine-readable task definition comprising a list of one or more computers and a list of one or more analyzers (column 14, lines 5-67, "The areas of ... analyze the results")
- an analyzer harness guided by said task definition through the process of sequentially harnessing each of the task definition's listed analyzers to configuration information gathered from each of the task definition's listed computers and executing each analyzer's executable program steps upon the harnessed configuration information, thereby generating at least some issue identifying reports (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10; column 3, lines 18-56, "the subsystem designer ... subsystem control facility"; column 5, lines 59-67, "Knowledgebase file storage ... and syntax checking"; column 6, lines 1-28, "configuration, including boundary-value ... of specific tokens"; column 14, lines 5-67, "The areas of ... analyze the results"; column 16, lines 46-65, "With reference to ... the appropriate correction")

<u>Motivation</u> – The portions of the claimed system would have been a highly desirable feature in this art for

- Early correction of errors (Desgrousillers et al, Abstract, "A method and ... the developmental cycle")
- Convenient and secure information exchange (Weber, column 2, lines 21-55, "To implement an ... by third parties")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *Weber* with *Desgrousillers et al* to obtain the invention of claim 31, a computerized system for auditing the software or hardware configurations

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of a plurality of computers in one or more enterprises. The modification would have been obvious because one of ordinary skill in the art would have been motivated to quickly and conveniently detect as well as securely report errors within enterprise computer systems.

Regarding claim 32:

The rejection of claim 31 is incorporated. Claim 32's further limitations are taught in *Weber*:

- a tracker database into which said collectors place said gathered configuration information and from which said analyzer harness obtains said configuration information (column 15, lines 36-49, "The payment gateway ... over the Internet"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")

Desgrousillers et al:

- an analyzer database in which said analyzers reside and from which said analyzer harness obtains said analyzers (column 4, lines 15-41, "From an apparatus ... corresponding template files")
- an issues database into which said analyzer harness places any generated issue identifying report (Fig. 1, items 18, 29, 15, 31)

Therefore, claim 32 is rejected under the same rationale as claim 31.

Regarding claim 33:

The rejection of claim 32 is incorporated. Therefore, claim 33 is rejected under the same rationale as claim 32.

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Regarding claim 34:

The rejection of claim 31 is incorporated. Claim 34's further limitations are taught in Desgrousillers et al:

- wherein said analyzer harness, in addition to generating issue identifying reports, further generates along with at least some of said issue identifying reports information identifying the computers whose configuration information was harnessed to generate those issue identifying reports (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10)

Therefore, claim 34 is rejected under the same rationale as claim 31.

Regarding claim 35:

The rejection of claim 34 is incorporated. Claim 35's further limitations are taught in *Weber*:

- audit report (column 64, lines 1-7, "The merchant could ... customer satisfaction information"; column 124, lines 15-18, "Gateway statistics about ... generating a report") a report generator guided by said task definition through the process of transforming at least one of the task definition's one or more reports, guided by any issue identifying reports and any information identifying computers generated by the analyzer harness (column 64, lines 1-6, "The merchant could ... customer satisfaction information"; column 124, lines 15-18, "Gateway statistics about ... generating a report")

 Desgrousillers et al:
- templates (column 4, lines 12-14, "The step of ... a test subsystem")

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- a list of one or more templates comprising an additional part of said machine-readable task definition (column 4, lines 33-41, "The second knowledgebase ... corresponding template files"; column 14, lines 5-67, "The areas of ... analyze the results")

- a report generator guided by said task definition through the process of transforming at least one of the task definition's listed templates into one or more reports, guided by any issue identifying reports and any information identifying computers generated by the analyzer harness step (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10)

Therefore, claim 35 is rejected under the same rationale as claim 34.

Regarding claim 36:

The rejection of claim 35 is incorporated. Claim 36's further limitations are taught in *Weber*:

- a tracker database into which said collectors place said gathered configuration information and from which said analyzer harness obtains said configuration information (column 15, lines 36-49, "The payment gateway ... over the Internet"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")
- a report containing said audit (column 64, lines 1-6, "The merchant could ... information, audit information"; column 124, lines 15-18, "Gateway statistics about ... generating a report")

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- an analyzer database in which said analyzers reside and from which said analyzer harness obtains said analyzers (column 4, lines 15-41, "From an apparatus ... corresponding template files")
- a report template database containing said report templates and from which said report generator obtains said report templates (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10; column 4, lines 12-24, "The step of ... set of requirements")
- an issues database into which said analyzer harness places any generated issue identifying report and any information identifying computers, and from which issues database said report generator obtains issue identifying reports and information identifying computers (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10)

Therefore, claim 36 is rejected under the same rationale as claim 35.

Regarding claim 37:

Weber teaches,

- a plurality of computers each computer having software and hardware components configured in a variety of measurable ways (column 124, lines 9-18, "Transaction Performance Monitoring ... generating a report"; column 137, lines 29-63, "A Data Manager ... hardware based cryptography")
- a network interconnecting said computers with a tracker database (column 15, lines 36-49, "The payment gateway ... over the Internet"; column 63, lines 54-63, "The unique architecture ... the merchant's premises"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")

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- a plurality of collectors, installed on at least one computer, gathering from said computers configuration information defining each computer's hardware configuration or software configuration or both, and storing the gathered configuration information in the tracker database (Abstract, "An architecture for ... production gateway computer")
- a plurality of analyzers residing within an analyzer database, each analyzer comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer (column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 32-59, "Analyze SetRequest ... current SET request")
- audit report (column 64, lines 1-6, "The merchant could ... information, audit information"; column 124, lines 15-18, "Gateway statistics about ... generating a report") at least one machine-readable task definition comprising one or more computers, one or more analyzers and one or more audit reports (column 39, lines 13-19, "The vPOS configuration ... Terminal Configuration Table"; column 63, lines 14-24, "Web servers can ... to requesting threads"; column 64, lines 1-6, "The merchant could ... information, audit information"; column 64, lines 15-45, "Multiple merchant processing ... and name lookup")

However, *Weber* doesn't explicitly teach templates, lists, an analyzer harness connecting to said tracker database and to said analyzer database and guided by said task definition through the process of sequentially harnessing each of the task definition's listed analyzers to configuration information gathered from each of the task



definition's listed computers, executing each analyzer's executable program steps upon the harnessed configuration information, and storing any issue identifying reports generated during this execution in an issues database together with, in at least some instances, the identity of the computers whose configuration information was harnessed to generate these issue identifying reports or a report generator connecting to said issues database and to said report template database and guided by said task definition through the process of transforming at least one of the task definition's listed audit report templates into one or more audit reports, guided by any issue identifying reports and computer identities stored in the issues database while *Desgrousillers et al* teaches,

- templates residing within a templates database (column 4, lines 12-24, "The step of ... set of requirements")
- at least one machine-readable task definition comprising a list of one or more computers, a list of one or more analyzers and a list of one or more report templates (column 4, lines 33-41, "The second knowledgebase ... corresponding template files"; column 14, lines 5-67, "The areas of ... analyze the results")
- an analyzer harness connecting to said tracker database and to said analyzer database and guided by said task definition through the process of sequentially harnessing each of the task definition's listed analyzers to configuration information gathered from each of the task definition's listed computers, executing each analyzer's executable program steps upon the harnessed configuration information, and storing any issue identifying reports generated during this execution in an issues database



together with, in at least some instances, the identity of the computers whose configuration information was harnessed to generate these issue identifying reports (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10; column 3, lines 18-56, "the subsystem designer ... subsystem control facility"; column 5, lines 59-67, "Knowledgebase file storage ... and syntax checking"; column 6, lines 1-28, "configuration, including boundary-value ... of specific tokens"; column 14, lines 5-67, "The areas of ... analyze the results"; column 16, lines 46-65, "With reference to ... the appropriate correction") - a report generator connecting to said issues database and to said report template database and guided by said task definition through the process of transforming at least one of the task definition's listed report templates into one or more reports, guided by any issue identifying reports and computer identities stored in the issues database (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10)

<u>Motivation</u> – The portions of the claimed system would have been a highly desirable feature in this art for

- Early correction of errors (Desgrousillers et al, Abstract, "A method and ... the developmental cycle")
- Convenient and secure information exchange (Weber, column 2, lines 21-55, "To implement an ... by third parties")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *Weber* with *Desgrousillers et al* to obtain the invention of claim 37, a computerized system for auditing the software or hardware configurations of a plurality of computers in one or more enterprises. The modification would have



been obvious because one of ordinary skill in the art would have been motivated to quickly and conveniently detect as well as securely report errors within enterprise computer systems.

Regarding claim 38:

Weber teaches,

- a plurality of computers each computer having software and hardware components configured in a variety of measurable ways (column 124, lines 9-18, "Transaction Performance Monitoring ... generating a report"; column 137, lines 29-63, "A Data Manager ... hardware based cryptography")
- tracker database means, analyzer database means, and issues database means all for storing digital information (Fig. 1A; column 15, lines 36-49, "The payment gateway ... over the Internet"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")
- a network interconnecting said computers with said tracker database means (column 15, lines 36-49, "The payment gateway ... over the Internet"; column 63, lines 54-63, "The unique architecture ... the merchant's premises"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 142, lines 32-54, "Analyze SetRequest ... proceeds to Step 5240")
- collector means, installed on at least one computer, for gathering from said computers configuration information defining each computer's hardware configuration or software configuration information or both, and for storing this gathered configuration information

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in said tracker database means (Abstract, "An architecture for ... production gateway computer"; column 142, lines 32-54, "Analyze SetRequest ... proceeds to Step 5240") - analyzer means, residing within said analyzer database means, for defining the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer (column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 32-59, "Analyze SetRequest ... current SET request") - machine-readable task definition means for defining one or more computers and one or more analyzer means (column 39, lines 13-19, "The vPOS configuration ... Terminal Configuration Table"; column 63, lines 14-24, "Web servers can ... to requesting threads"; column 64, lines 15-45, "Multiple merchant processing ... and name lookup"; column 124, lines 15-18, "Gateway statistics about ... generating a report") However, Weber doesn't explicitly teach lists or analyzer harness means connecting to said tracker database means, said analyzer database means, and said issues database means for sequentially harnessing, under the guidance of said task definition means, each of the task definition mean's listed analyzer means to configuration information gathered from each of the task definition mean's listed computers, for executing each analyzer mean's executable program steps upon the harnessed configuration information, and for storing any issue identifying report generated during this execution

- machine-readable task definition means for defining a list of one or more computers and a list of one or more analyzer means (column 4, lines 33-41, "The second

in said issues database while Desgrousillers et al teaches,

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knowledgebase ... corresponding template files"; column 14, lines 5-67, "The areas of ... analyze the results")

- analyzer harness means connecting to said database means, said analyzer database means, and said issues database means for sequentially harnessing, under the guidance of said task definition means, each of the task definition mean's listed analyzer means to configuration information gathered from each of the task definition mean's listed computers, for executing each analyzer mean's executable program steps upon the harnessed configuration information, and for storing any issue identifying report generated during this execution in said issues database (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10; column 3, lines 18-56, "the subsystem designer ... subsystem control facility"; column 5, lines 59-67, "Knowledgebase file storage ... and syntax checking"; column 6, lines 1-28, "configuration, including boundary-value ... of specific tokens"; column 14, lines 5-67, "The areas of ... analyze the results"; column 16, lines 46-65, "With reference to ... the appropriate correction")

<u>Motivation</u> – The portions of the claimed system would have been a highly desirable feature in this art for

- Early correction of errors (Desgrousillers et al, Abstract, "A method and ... the developmental cycle")
- Convenient and secure information exchange (Weber, column 2, lines 21-55, "To implement an ... by third parties")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *Weber* with *Desgrousillers et al* to obtain the invention

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of claim 38, a computerized system for auditing the software or hardware configurations of a plurality of computers in one or more enterprises. The modification would have been obvious because one of ordinary skill in the art would have been motivated to quickly and conveniently detect as well as securely report errors within enterprise computer systems.

Regarding claim 39:

The rejection of claim 38 is incorporated. Claim 39's further limitations are taught in Desgrousillers et al:

- wherein the analyzer harness means, in addition to storing any issue identifying report generated during program step execution in said issues database means, also stores in said issues database means along with at least some issue identifying reports the identities of the computers whose configuration information was harnessed to generate these issue identifying reports (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10)

Therefore, claim 39 is rejected under the same rationale as claim 38.

Regarding claim 40:

The rejection of claim 38 is incorporated. Claim 40's further limitations are taught in Desgrousillers et al:

- report template database means for storing digital information (column 4, lines 12-24,

"The step of ... set of requirements"; column 6, lines 32-48, "In the preferred ... has

been completed")

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- report template means, residing within said report template database means, for defining all or portions of one or more reports (column 4, lines 12-24, "The step of ... set of requirements"; column 6, lines 32-48, "In the preferred ... has been completed")
- wherein the task definition means further comprises means for defining a list of report template means (column 6, lines 32-48, "In the preferred ... has been completed"; column 14, lines 5-67, "The areas of ... analyze the results")
- report generator means, connecting to said issues database means and said report template database means, for generating at least one report, guided by the task definition mean's listed report templates and by the issue identifying reports stored in the issues database (Figs. 1, 3, 9-10; column 6, lines 32-48, "In the preferred ... has been completed"; column 14, lines 5-67, "The areas of ... analyze the results"; column 6, lines 32-48, "In the preferred ... has been completed")

Weber:

- audit report means, residing within said report template database means, for defining all or portions of one or more audit reports (Fig. 1A; column 64, lines 1-35, "The merchant could ... for example, TIDs"; column 124, lines 15-18, "Gateway statistics about ... generating a report")
- wherein the task definition means further comprises means for defining audit report means (Fig. 1A; column 64, lines 1-6, "The merchant could ... information, audit information"; column 124, lines 15-18, "Gateway statistics about ... generating a report")
- report generator means, connecting to said issues database means and said report database means, for generating at least one audit report, guided by the task definition

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mean's report and by the issue identifying reports stored in the issues database (Fig. 1A; column 64, lines 1-6, "The merchant could ... information, audit information"; column 124, lines 15-18, "Gateway statistics about ... generating a report")

Therefore, claim 40 is rejected under the same rationale as claim 38.

Regarding claim 41:

The rejection of claim 40 is incorporated. Therefore, claim 41 is rejected under the same rationale as claim 40.

Regarding claim 42:

Weber teaches,

- a plurality of computers each computer having software and hardware components configured in a variety of measurable ways (column 124, lines 9-18, "Transaction Performance Monitoring ... generating a report"; column 137, lines 29-63, "A Data Manager ... hardware based cryptography")
- tracker database means, analyzer database means, report template database means, and issues database means all for storing digital information (Fig. 1A; column 15, lines 36-49, "The payment gateway ... over the Internet"; column 64, lines 44-45, "the merchant Configurations ... and name lookup"; column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")
- a network interconnecting said computers with said tracker database means (Fig. 1A; column 15, lines 36-49, "The payment gateway ... over the Internet"; column 63, lines 54-63, "The unique architecture ... the merchant's premises"; column 64, lines 44-45,

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"the merchant Configurations ... and name lookup"; column 142, lines 52-54, "In Step 5230 a ... proceeds to Step 5240")

- collector means, installed on at least one computer, for gathering from said computers configuration information defining each computer's hardware configuration or software configuration or both, and for storing this gathered configuration information in said tracker database means (Abstract, "An architecture for ... production gateway computer"; Fig. 1A; column 142, lines 32-54, "Analyze SetRequest ... proceeds to Step 5240")
- analyzer means, residing within said analyzer database means, for defining the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer (Fig. 1A; column 124, lines 15-18, "Gateway statistics about ... generating a report"; column 142, lines 32-59, "Analyze SetRequest ... current SET request") audit report mean, residing within said report database means, for defining all or portions of one or more audit reports (Fig. 1A; column 64, lines 1-6, "The merchant could ... information, audit information"; column 124, lines 15-18, "Gateway statistics about ... generating a report")
- machine-readable task definition means for defining a list of one or more computers, a list of one or more analyzer means, and a list of one or more audit report template means (column 39, lines 13-19, "The vPOS configuration ... Terminal Configuration Table"; column 63, lines 14-24, "Web servers can ... to requesting threads"; column 64,

lines 1-6, "The merchant could ... information, audit information"; column 64, lines 15-45, "Multiple merchant processing ... and name lookup")

However, Weber doesn't explicitly teach templates, lists or analyzer harness means connecting to said tracker database means, said analyzer database means, and said issues database means for sequentially harnessing, under the guidance of said task definition means, each of the task definition mean's listed analyzer means to configuration information gathered from each of the task definition mean's listed computers, for executing each analyzer mean's executable program steps upon the harnessed configuration information, and for storing any issue identifying reports generated during this execution to in said issues database together with, in at least some instances, the identity of the computers whose configuration information was harnessed to generate these issue identifying reports while *Desgrousillers et al* teaches, report template means, residing within said report template database means, for defining all or portions of one or more reports (column 4, lines 12-24, "The step of ... set of requirements"; column 6, lines 32-48, "In the preferred ... has been completed") - machine-readable task definition means for defining a list of one or more computers, a list of one or more analyzer means, and a list of one or more report template means (column 4, lines 12-24, "The step of ... set of requirements"; column 6, lines 32-48, "In the preferred ... has been completed"; column 14, lines 5-67, "The areas of ... analyze the results")

- analyzer harness means connecting to said database means, said analyzer database means, and said issues database means for sequentially harnessing, under the

guidance of said task definition means, each of the task definition mean's listed analyzer means to configuration information gathered from each of the task definition mean's listed computers, for executing each analyzer mean's executable program steps upon the harnessed configuration information, and for storing any issue identifying reports generated during this execution to in said issues database together with, in at least some instances, the identity of the computers whose configuration information was harnessed to generate these issue identifying reports (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10; column 3, lines 18-56, "the subsystem designer ... subsystem control facility"; column 5, lines 59-67, "Knowledgebase file storage ... and syntax checking"; column 6, lines 1-28, "configuration, including boundary-value ... of specific tokens"; column 6, lines 32-48, "In the preferred ... has been completed"; column 14, lines 5-67, "The areas of ... analyze the results"; column 16, lines 46-65, "With reference to ... the appropriate correction")

- report generator means, connecting to said issues database means and said report template database means, for generating at least one report, guided by the task definition mean's listed report templates and by the issue identifying reports and computer identities stored in the issues database (Fig. 1, items 18, 29, 15, 31; Figs. 3, 9-10; column 6, lines 32-48, "In the preferred ... has been completed")

RESPONSE TO APPLICANTS' AMENDMENT A CLAIMS REMARKS

Drawings

Applicant argue(s) the figure identification labels of the submitted and revised formal drawings have the same style on all of the drawing sheets. In addition, Figures 2, 16 and 23 have been amended as is indicated in the annotated copies of the previously-submitted drawing sheets. All of the Examiner's objections to the drawings have been addressed and corrected, either by these corrections or by the addition of reference numbers to the specification text (Amendment A page 21, paragraphs 4 and page 22, paragraph 1).

Applicant's corrected Fig. 2, reference number 323, Fig. 16, reference number 1606 and Fig. 23, reference number 2210 have been entered and approved. The objections to the drawings are withdrawn.

Specification

Applicant argue(s) all of the Examiner's objections to the specification have been addressed in the amendments (Amendment A page 22, paragraph 3).

Applicant's amendments to specification paragraphs 48-49, 81, 100, 122, 127, 130-134, 143, 150, 158 and 201 have been entered and approved. However, applicant's amendment to paragraph 126 is objected to for an informality: referring to analyzer server 800 as analysis server 800.

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Claim Rejections - 35 USC § 112

Applicant argue(s) that the present invention, as described in the specification and drawings and as now claimed in the newly submitted claims, is a system and method for monitoring automatically the hardware and software configurations of large numbers of networked computers (personal computers or servers or both) in enterprises (Amendment A page 24, paragraph 5).

As to practical applications of the invention, throughout the patent specification and its appendices, an exemplary analyzer is described that checks the disk space available on each mounted local hard disk drive of a computer, flagging as an issue any hard disk drive that has very little room left for additional data (Amendment A page 25, paragraph 2).

The specification goes on to describe 25 additional practical applications of analyzers (Amendment A page 25, paragraph 3) as a demonstration of the practical utility of the present invention (Amendment A page 26, paragraph 3) for requesting reconsideration of the 35 U.S.C. 112-1st paragraph rejections of cancelled claims 1-23.

The issue of a rejection against claims 1-23 is moot in view of the cancellation of these claims. It should be noted, however, that claims 24, 30-31, 37-38 and 42 closely track the original claims and no rejection under 35 U.S.C. 112, first paragraph is given of these claims.

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Claim Rejections - 35 USC § 101

Applicant argue(s) that the utility of the present invention was pointed out in section D of Amendment A in response to the Examiner's rejection under 35 U.S.C. Section 112. Applicants reassert all of Section D in response to the Examiner's Section 101 rejection. On that basis alone, reconsideration and allowance of the claims now before the Examiner is respectfully requested (Amendment A page 26, paragraph 6).

The Examiner first notes that certain claims "are not claimed to be practiced on a computer nor are they stored in a computer readable medium." Applicants submit that the newly-submitted claims are all directed to a "computerized method" or to a "computerized system." The Examiner then notes that certain claims "are also not in the technological arts." This is clearly not true of the newly-submitted claims. Many of the claims also call for the storage of data in and the retrieval of data from databases (specifically, claims 25, 26, 29, 30, 32, 33, 36, 37, and 38-42) (Amendment A page 26, paragraph 7 and page 27, paragraph 1).

In view of the newly-submitted claims and the above remarks, applicants submit that the present invention, as now claimed, is directed to fully patentable subject matter under both Section 101 and also Section 112 of Title 35 (Amendment A page 30, paragraph 2) for requesting reconsideration and allowance of new claims 24-42 under 35 U.S.C. 101 over the rejection of the cancelled claims 1-23 under 35 USC Section 101.

In addition to their practical utility discussed in Section D above, new claims 24, 30-31, 37-38 and 42 have been considered as practiced on a computer and in the

technological arts. The rejection of cancelled claims 1-23 under 35 U.S.C. 101 is withdrawn.

Double Patenting

Applicant argue(s) that since the two claims 11 and 16 have both been cancelled from the present application for reasons unrelated to the double patenting rejection, there is no longer any conflict. The newly-submitted claims were drafted with the intent of avoiding any double patenting problems. There are actually seven other applications that are continuations or continuations-in-part of the present application. To assist the Examiner, applicants have added an Appendix B to this response. Appendix B contains copies of the first pages and also the pages containing the claims of all seven of these related applications, all of which have been published. Applicants invite the Examiner to review the published claims of these seven related applications and to compare them to the newly-submitted claims to see if any other double patenting problems, statutory or non-statutory, exist with respect to these newly-submitted claims (Amendment A page 31, paragraphs 2-3).

The seven other applications have been reviewed with the instant application in reconsidering the double patenting rejection. The provisional rejection of claims 15 and 16 for claiming the same invention as that of claims 15 and 16 of copending Application No. 10/372,475 is withdrawn.

Claim Rejections - 35 USC § 103

Applicant argue(s) that the basis for rejecting canceled claims 15 and 16 (the required use of XML data structures in the design of an enterprise auditing system) is not applicable to any of the newly submitted claims (Amendment A page 36, paragraph 5).

The 35 U.S.C. 103(a) rejections of cancelled claims 15 and 16 are withdrawn.

Claim Rejections - 35 USC § 102

In regards to the Rejection of Claims 1 to 14 and 17 to 23 Under 35 U.S.C. Section 102(b), applicant argue(s) that

1) Claims 26 to 30, 33 to 37, and 39 to 42 include additional limitations that require the "identity of the computers whose configuration information was processed" to be included with at least some of the "issue identification reports," these computer identities constituting information which the very simple analyzer programs know nothing about and therefore cannot determine or report. This computer identification information is added automatically to the issue identification reports placed into an issues database 112 by the analyzer harness 806. Accordingly, each issue identification report is accompanied by the identity of the computer to which that particular issue relates (Amendment A page 32, paragraph 3). *Desgrousillers et al*, however, meets this limitation in Figs. 3 and 10 as well as column 2, lines 28-41, "After the experts ... appropriate error messages" and column 16, lines 46-65, "With reference to ... the appropriate correction".

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2) Claims 28 to 30, 35 to 37, and 40 to 42 all include additional limitations requiring the issue identification reports and (except for claim 40) the identity of the computer (in the issues database 112) to be fed into a report generator 206. The report generator 206 is also supplied with the report templates (from the report templates and rules database 204) which are also designated by the task definitions 814 or 816, so that highly customized and very readable audit reports are generated which identify and explain the issues and identify the computers upon which those issues arose (Amendment A page 32, paragraph 4 and page 33, paragraph 1). *Desgrousillers et al*, however, meets this limitation in Fig. 1, items 18, 29, 15, 31 and Figs. 3 and 10.

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- 3) First, all of the claims call for providing analyzers "comprising the executable program steps needed to compute, from selected configuration information gathered from a single computer, a report identifying at least one issue relating to the computer" (Independent Claims 24, 30, 31, 37, 38, and 42). There is no such teaching to be found in the Kung patent. Kung does not even teach gathering information from computer-he gathers information only from modems and the like. Kung does not teach providing a program written to process data from only one device when the intent is to process information gathered from many devices (Amendment A page 35, paragraph 1). Weber, however, meets this limitation in column 124, lines 15-18, "Gateway statistics about ... generating a report" and column 142, lines 32-59, "Analyze SetRequest ... current SET request".
- 4) Secondly, all of the claims call for: "harnessing each of the...listed analyzers to configuration information gathered form each of the ,... listed computer" and then

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"processing the configuration information so harnessed under the guidance of each analyzer's executable program steps" (independent method claims 24 and 30); "an analyzer harness...sequentially harnessing each of the ...listed analyzers to configuration information gathered from each of the ...listed computers and executing each analyzer's executable program steps upon the harnessed configuration information" (independent system claims 31 and 37); or "analyzer harness means...for sequentially harnessing... each of the...listed analyzer means to configuration information gathered from each of the listed computers, for executing each analyzer mean's executable program steps upon the harnessed configuration information" (independent system claims 38 and 42). Kung does not appear to teach this at all. Even in an expert system, additional explicit programming of some type is required to cause an expert rule to be applied to specific multiple sets of gathered information. In the present invention, the use of task definitions to control the operations of the analyzer harness makes such additional programming unnecessary and clearly distinguishes the claimed invention from the teachings of Kung (Amendment A page 35, paragraph 2-3). Desgrousillers et al, however, meets this limitation in Figs. 2-3, 5, 7, 9-10, 12 and 14-15 as well as in column 14, lines 5-67, "The areas of ... analyze the results". 5) Additionally, all of the claims call for a plurality of networked computer and for collectors that gather information defining how the hardware or software of the computers is configured. Kung does not disclose in his patent any computers networked together – only serial interconnections between one host computer and a plurality of terminals. The only "network" he discloses is a "secondary diagnostic

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channel" (col. 10, lines 62 to 66) that is not capable of computer-to-computer communication-it is dedicated to the gathering of diagnostic information from modems and a multiplexer. There is no teaching in Kung that configuration information is to be gathered from anything other than modems, a multiplexer, and "other objects" (col. 9, lines 61 to 65). Kung does not teach gathering configuration information from computer over a network through the use of collectors (Amendment A page 35, paragraph 4). Weber, however, meets this limitation in the Abstract "An architecture for … production gateway computer".

- 6) The additional requirement in claims 26 to 30, 33 to 37, and 39 to 42 that the "identity of the computer whose configuration information was processed" be included within the issue identification reports" generated whenever an analyzer is processed is a requirement not taught in the Kung patent. This aspect of the invention permits audit report to identify each computer even though the analyzer programs are incapable of identifying the computers audited (Amendment A page 36, paragraph 2). *Desgrousillers et al*, however, meets this limitation in Figs. 3 and 10.
- 7) The additional requirement of the claims 28 to 30, 35 to 37, and 40 to 42 that the issue identification reports and (except for claim 50[sic]) the identify of the computers be fed into a report generator 206 which is also supplied with the audit report templates (designated by the task definitions) is another requirement not taught at any point in the Kung patent. This aspect of the invention enables the production of readable audit report, carefully tailored to the needs of specific audiences (Amendment A page 36, paragraph 3). Weber, however, meets the audit issue identification report portion of the

limitations in column 64, lines 1-6, "The merchant could ... information, audit information" and column 124, lines 14-18, "Gateway statistics about ... generating a report" while *Desgrousillers et al* meets the computer identity and report templates portion of the limitations in Fig. 1, items 18, 29, 15, 31 and Figs. 3, 9-10 as well as column 4, lines 12-24, "The step of ... set of requirements" and column 6, lines 32-48, "In the preferred ... has been completed".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the Office should be directed to Meltin Bell whose telephone number is 703-305-0362. This Examiner can normally be reached on Mon - Fri 7:30 am - 4:30 pm.

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If attempts to reach this Examiner by telephone are unsuccessful, his supervisor, Anthony Knight, can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MB/Au.B,

Anthony Knight
Supervisory Patent Examiner

Group 3600